

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**KEVIN JOSEPH WASHINGTON, JR.,**

Plaintiff,

v.

**Case No. 25-CV-105**

**BRENDA J. KESHENA, *et al.*,**

Defendants.

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**ORDER**

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Plaintiff Kevin Joseph Washington, Jr., who is incarcerated and representing himself, filed a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1.) He also filed a Request to Proceed In District Court without Prepaying the Full Filing Fee. (ECF No. 2.)

On January 22, 2025, the Clerk of Court's Office sent Washington a letter advising him to submit a certified copy of his institutional trust account statement for the past six months, as well as return a consent to magistrate jurisdiction form, within 21 days. (ECF No. 3.) Washington did not submit either within the time required.

On February 24, 2025, the Clerk of Court's Office sent a second letter advising Washington to file a six-month certified prisoner trust account statement, as well as the magistrate judge consent form, by March 17, 2025. (ECF No. 5.) The March 17,

2025, deadline has passed, and the court has not heard from Washington. The court will dismiss his case without prejudice.

**IT IS THEREFORE ORDERED** that this case is **DISMISSED without prejudice** based on Washington's failure to provide a certified trust account statement. The court will enter judgment accordingly. Washington may refile his complaint at a later date, subject to the relevant statute of limitations. Alternatively, Washington may within twenty-one days file a motion to reopen the case, explaining why the court should excuse his failure to timely submit his trust account statement. Washington must submit his trust account statement, pay the full filing fee, or explain why he is unable to do so before the court will consider a motion to reopen the case.

**IT IS FURTHER ORDERED** that, pursuant to 28 U.S.C. §1915(b)(1), Washington must pay the \$350 statutory filing fee. Accordingly, the agency having custody of Washington shall collect from his institution trust account the \$350 statutory filing fee by collecting monthly payments from Washington's prison trust account in an amount equal to 20 percent of the preceding month's income credited to the prisoner's trust account and forwarding payments to the Clerk of Court each time the amount in the account exceeds \$10 in accordance with 28 U.S.C. §1915(b)(2). The payments shall be clearly identified by the case name and number assigned to this action. If Washington is transferred to another institution, the transferring institution shall forward a copy of this Order along with Washington's remaining balance to the receiving institution.

**IT IS FURTHER ORDERED** that copies of this order be sent to the officer in charge of the agency where Washington is located.

Dated in Milwaukee, Wisconsin this 2nd day of April, 2025.

BY THE COURT

A handwritten signature in black ink, reading "William E. Duffin", written over a horizontal line.

WILLIAM E. DUFFIN  
United States Magistrate Judge